

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

V.

STEFAN HRVATIN,

§
§
§

**CRIMINAL NO.
4:22-CR-00612(5)**

**STEFAN HRVATIN'S
JOINDER OF MOTIONS FOR CONTINUANCE**

TO THE HONORABLE ANDREW S. HANEN, U.S. DISTRICT JUDGE

Stefan Hrvatin, through counsel, joins the various defense motions for continuance, waives speedy trial rights, and adds the following:

1. "Haste makes waste." Monday evening's government filing #337, is erroneously labeled a response to "...Constantinescu's Motion to Compel" but is actually an opposition to Rybarczyk's argument for continuance, and Hennessey's suggestion of a severance.

2. Counsel receives weekly, seems like almost daily, deliveries of external "thumb drives", including on August 28 and 29, with cover letters promising passwords soon will be provided by emails. I marked these "Production" 22 and 23. I remain several "productions" behind despite diligent efforts to look at the evidence, prepare an exhibit list, and so on.

3. Hrvatin has only one lawyer. Others may have, as charged, a "robust defense team," but Hrvatin does not. He has me. Counsel is an expense-showing solo practitioner. The government's resources and staffing are considerable, but Hrvatin's are not. Despite early planning for prolonged and complex litigation, this case has become overwhelming.

4. Hrvatin plans to vigorously contest the charge of a single overarching conspiracy, or membership in any conspiracy, and denies the fraud charged in counts 14 and 15 as well.

5. Counsel has cases pending in other federal courts, and one in this court, two federal death penalty cases in this district; plus the daily work of meeting pre-existing obligations, including pre-covid epidemic clients, most of them detained pending trials, sentencings and so on. The fact that another defendant, backed by a law firm, can be ready is not evidence that Hrvatin can be ready.

6. Hrvatin is filing his brokerage account 1099 forms to show his stock trading, 2020-2021. An adopted motion to discover co-defendant 1099's is pending. Hrvatin needs those other 1099's to demonstrate that he was not trading in collusion, conspiracy or partnership with his co-defendants. The other 1099's will be exculpatory. Hrvatin specifically needs this discovery and a continuance so that he can make proper and efficient presentation in trial.

7. Counsel fears that Hrvatin's rights to effective assistance of counsel, a fair trial and due process of law are in jeopardy unless a continuance is granted.

8. Counsel expressly declined federal appointments and other new employment in July and August, 2023. However, prior duties to other clients and other courts cannot be abandoned.

9. Therefore, Hrvatin asks that a continuance be granted.

10. Counsel and Hrvatin will attend the pretrial hearing scheduled for September 7, 2023 at 10:30 a.m.

Respectfully submitted,

/s/ *Edward Mallett*
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ATTORNEY FOR DEFENDANT
STEFAN HRVATIN

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Motion has been furnished to the Assistant U.S. Attorneys assigned to this case and for counsel for all co-defendants via the Court's ECF system on the 30th day of August, 2023.

/s/ *Edward Mallett*
Edward Mallett